

IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION

Margo Kronberg as Personal)		
Representative of the Estate of Joseph)		
Kronberg; and Margo Kronberg on)	Case No.:	_____
behalf of all the heirs of)		
Joseph Kronberg,)		
)		
Plaintiffs,)		<u>COMPLAINT</u>
)		
vs.)		
)		
Oasis Petroleum North America LLC;)		
and Basin Concrete, Inc.;)		
)		
Defendants.)		

Plaintiffs for their Complaint against the Defendants state:

PARTIES

1.

Plaintiff Margo Kronberg is the widow of Joseph Kronberg. Ms. Kronberg is a resident of the state of South Dakota. Margo and Joseph Kronberg were married on June 4, 1983.

2.

Plaintiff Margo Kronberg has been appointed the Personal Representative of the Estate of Joseph Kronberg.

3.

Joseph Kronberg passed away in Williams County, North Dakota on May 10, 2011.

4.

Oasis Petroleum North America LLC is a foreign limited liability company with its principal place of business in Houston, Texas.

5.

Oasis Petroleum North America LLC designs, engineers, maintains, controls, drills and oversees oil-drilling operations in Williams County, North Dakota

6.

Basin Concrete Inc. is a North Dakota corporation with its principal place of business in Williston, North Dakota.

7.

Basin Concrete Inc. rents, leases, and/or sells equipment to oil companies.

JURISDICTION

8.

The matter in controversy exceeds \$75,000 and the parties are citizens of different states.

9.

Margo Kronberg is currently a resident of the State of South Dakota. Ms. Kronberg was appointed Personal Representative of the Estate of Joseph Kronberg by a state court in South Dakota.

10.

Oasis Petroleum North America LLC is a limited liability company with its principal place of business in Houston, Texas.

11.

Basin Concrete Inc. is a North Dakota corporation with its principal place of business in Williston, North Dakota.

12.

This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332.

VENUE

13.

Venue is proper in this Court pursuant to 28 U.S.C. § 1391.

14.

Venue is proper in this division pursuant to Local Rule 1.1.

15.

Williams County is located in the Northwestern Division for the District of North Dakota. See Local Rule 1.1(4).

INTRODUCTION

16.

On May 9, 2011, the Defendants obtained, used, leased, controlled, and/or owned an electrical cord and other electrical equipment on a well-site in Williams County, North Dakota.

17.

On May 9, 2011, Joseph Kronberg was employed by Nabors Drilling USA, LP, a limited partnership with its principal place of business in Houston, Texas.

18.

On May 9, 2011, Nabors Drilling was working on an Oasis Petroleum well-site in Williams County, North Dakota.

19.

Basin Concrete, Inc. rented, leased, or sold the electrical cord and/or other electrical equipment to Oasis Petroleum.

20.

Joseph Kronberg was electrocuted at the Oasis Petroleum well-site on May 9, 2011. Mr. Kronberg died on May 10, 2011.

21.

Joseph Kronberg's electrocution was caused by a defect in the electrical cord and/or other electrical equipment.

22.

The Defendants had a duty to exercise reasonable care in maintaining, controlling, providing, leasing, using, and utilizing safe and non-defective electrical equipment at the work-place.

23.

The Defendants had a duty not to create an unreasonable risk of injury to persons lawfully on the premises.

24.

Mr. Kronberg reasonably relied upon the Defendants to provide safe equipment for the work being performed on May 9, 2011.

CLAIMS FOR RELIEF
Claim No. 1- Wrongful Death

25.

Plaintiffs for their 1st Claim for Relief re-allege each and every preceding paragraph against the Defendants.

26.

The Defendants had a duty of reasonable care and/or assumed a duty of reasonable care toward Joseph Kronberg.

27.

The actions of the Defendants negligently caused the death of Joseph Kronberg.

28.

Plaintiffs have suffered grievous loss and injury as a result of the Defendants' negligence.

29.

Plaintiffs have standing to maintain this wrongful death action on behalf of all legal heirs.

Claim No. 2- Survival Action

30.

Plaintiffs for their 2nd Claim for Relief, re-allege each and every preceding paragraph against the Defendants.

31.

On May 9, 2011 Joseph Kronberg was seriously and permanently injured as a result of the Defendants' negligence.

32.

On May 10, 2011, Joseph Kronberg died as a result of the Defendants' negligence.

33.

The Estate of Joseph Kronberg has a claim for economic and non-economic damages including but not limited to pain and suffering, mental anguish, medical expenses, lost income, lost future income, lost earnings, funeral expenses, and all other damages allowed by law.

34.

Margo Kronberg has been appointed Personal Representative for the Estate of Joseph Kronberg and has standing to bring his claim on behalf of the Estate.

WHEREFORE, Plaintiffs request the following relief:

- (1) Compensatory damages in an amount to be determined by the jury;
- (2) Costs and disbursements as provided by law; and
- (3) Such other relief as the Court deems just and necessary.

Jury Demand

Plaintiffs request a trial by jury.

Dated this 15 day of January, 2013.



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